

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

TORRES CONSULTING AND LAW
GROUP,

Plaintiff-Appellant

v.

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,

Defendant-Appellee.

Case No. 14-17303

D. Ct. No. CV-14-00801-PHX-MEA

**MOTION FOR EXTENSION OF
BRIEFING TIME**

Pursuant to Circuit Rule 31-2.2(b), Appellee moves this Court for an extension of 60 days, from April 3, 2015 to and including June 2, 2015, within which to file its Answering Brief. This request is supported by the attached Declaration of Kristina L. Morrison, Assistant United States Attorney.

Respectfully submitted this 24th day of March, 2015.

JOHN S. LEONARDO
United States Attorney
District of Arizona

s/ Kristina L. Morrison
KRISTINA L. MORRISON
Assistant U.S. Attorney
Two Renaissance Square
40 North Central Avenue, Suite 1200
Phoenix, Arizona 85004-4408
Telephone: (602) 514-7500

DECLARATION

KRISTINA L. MORRISON hereby states that:

1. She is an Assistant United States Attorney with primary responsibility for handling the appeal in the above-captioned case;
2. Appellant's Opening Brief and Excerpts of Record were filed on March 2, 2015, and the Appellee's Brief and any Supplemental Excerpts of Record are currently due to be filed on April 3, 2015;
3. Undersigned counsel respectfully seeks a 60-day extension of time to file Appellee's Brief, and to allow for agency and supervisory counsels' participation and review, because undersigned counsel: (a) is currently defending multiple trial court matters, including several that involve extensive motion practice with deadlines falling within the next 30 days; (b) has had a higher than usual backlog in case work due to having been in trial from February 9-20, 2015; and (c) was on a long planned annual leave from March 6-13, 2015.
4. In addition, agency counsel responsible for working with undersigned counsel on this appeal was on a litigation assignment in South Mississippi for two months and only just returned to his post on March 16, 2015. He requires additional time to review the Opening Brief and the Excerpts of Record, all of which were filed while he was away.

5. Undersigned counsel avows that she has exercised diligence in preparing Appellee's Brief, that the extension is not being sought for the purposes of delay, and that the brief will be filed within the time requested;

6. Opposing counsel, James E. Barton II, has been notified of the United States' intention to seek a 60-day extension to and including June 2, 2015, and has no objection; and

7. The court reporter is not in default because no transcripts were ordered in this case. *See* Dkt. 4, Copy of Notice to District Court That No Transcripts Will Be Ordered, January 14, 2015.

Dated this 24th day of March, 2015.

s/ Kristina L. Morrison
KRISTINA L. MORRISON
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2015, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Melody A. Karmgard
MELODY A. KARMGARD
Paralegal Specialist